

REMARKS

In the Office Action, the Examiner rejected claims 1-21. By this response, Applicant hereby adds new claims 22 and 23, and amends claims 1-4, 9, 10, 14, and 18-21 for clarification of certain features to expedite allowance of the present application. These amendments do not add any new matter. Upon entry of the new claims and amendments, claims 1-23 are pending in the present application and are believed to be in condition for allowance. In view of the foregoing amendments and the following remarks, Applicant respectfully requests reconsideration and allowance of all pending claims.

Claim Rejections Under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-21 under 35 U.S.C. § 102(e) as being anticipated by Hanzek, U.S. Patent No. 6,980,963 (hereafter "the Hanzek reference"). Applicant respectfully traverses this rejection.

Legal Precedent

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *See Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir.1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir.1990). That is, the prior art reference must show the *identical invention* "in as complete detail as contained in the ... claim" to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, the Applicant need only point to a single element or claimed relationship not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. A *strict correspondence* between the claimed language and the cited reference must be established for a valid anticipation rejection.

Independent Claims 1, 14, and 18

As disclosed and claimed by the present application, the system and methods relate to creation of applications. The system may include a controller that is adapted to receive requests for data from a user and respond to the requests by obtaining the requested data. The

system may also include a preprocessor that is adapted to process a preprocessor action for use by the controller during a user session at a portal.

Independent claim 1 recites, *inter alia*, “a controller that is adapted to receive a request for data *from a user*...and a preprocessor that is adapted to search for a *preprocessor action* associated with a portal registered to the request, wherein the controller invokes the preprocessor *before* processing the request for data” (emphasis added). Similarly, independent claim 14 recites, *inter alia*, “means for creating a...controller being adapted to receive a request for data *from a user*...and means for *preprocessing an action* to produce session-scoped information accessible by the controller, wherein preprocessing the action is performed *prior* to the controller processing the request to obtain the requested data” (emphasis added). Further, independent claim 18 recites, *inter alia*, “a controller logic...adapted to receive and process a *user request* for data; and a preprocessor manager...adapted to receive a request from the controller logic to invoke an *action class prior* to the controller logic processing the user request” (emphasis added).

Conversely, the Hanzek reference does not disclose a controller that receives a request from a user, nor does it disclose a preprocessor that preprocesses an action before processing of the data by the controller. For instance, FIG. 3 of Hanzek depicts a sales processor 332 that is in communication with a portal 318. The vehicle selection information submitted by the consumer is relayed to the sales processor 332. *See* Hanzek, col. 8, ll. 46-48. Subsequently, the sales processor 332 relays a submitted order to an order processor 352. *See* Hanzek, col. 8, ll. 58-67. At best, the sales processor 332 receives a user request, preprocesses the request and subsequently provides processed data to the order processor 352 for subsequent processing. The Examiner has suggested that the order processor 352 is equivalent to the controller. Office Action, p. 2. However, equating a sequence of multiple processors as a preprocessor and a controller does not give deference to all of the limitations recited by the present claims. Specifically, the order processor 352 does not receive a request for data from a user, as recited by the present claims. Accordingly, the Hanzek reference does not disclose a controller that receives a request. For at least these reasons, Applicant respectfully requests withdrawal of the rejections under §102, and allowance of independent claims 1, 14 and 18, and claims depending therefrom.

Independent Claim 9

Independent claim 9 recites, *inter alia*, “creating, with a processor-based device, a *model-view-controller architecture* comprising a controller that receives requests for data from users and responds to the requests by obtaining requested data; and providing a preprocessor manager that executes a desired action to produce information accessible by the controller for a desired time of incoming user requests” (emphasis added).

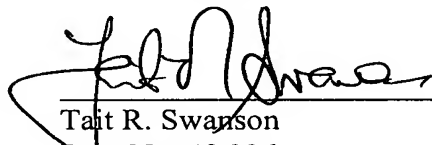
Conversely, the Hanzek reference does not disclose a model-view-controller architecture. In the Examiner’s rejection of a similar claim (dependent claim 8) which recites, *inter alia*, “a model and a view separate from one another,” the Examiner pointed to a section of the Hanzek reference that generally includes a system and method to “tag” a selected vehicle after viewing the vehicle to secure the purchase. However, the cited portion of the Hanzek reference (col. 14, lines 12-30) merely contemplates “hiding” data in the data import database 614 associated with a vehicle that has been selected by the user. In other words, when a user selects a vehicle, the data is updated to include an indication that the vehicle has been “tagged” by a purchaser. The Hanzek reference makes no mention of a model-view-controller architecture as recited by the present independent claim 9 or dependent claim 8. For at least these reasons, Applicant respectfully requests withdrawal of the rejections under §102, and allowance of independent claim 9, and claims depending therefrom.

Conclusion

In view of the remarks and amendments set forth above, Applicant respectfully requests allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Tait R. Swanson', is written over a horizontal line.

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